

DISTRICT/COUNTY COURT, ADAMS COUNTY, COLORADO
AFFIDAVIT AND APPLICATION FOR ARREST
THE PEOPLE OF THE STATE OF COLORADO

V.

RYAN GERALD GARBISO – DOB: 05/11/1980

I, Matthew Stoychoff, being of lawful age and having been first sworn upon oath, state that I am a Criminal Investigator with the Colorado Department of Labor and Employment's Investigations and Criminal Enforcement Section and that I have probable cause for believing that:

Name: RYAN GERALD GARBISO
Date of Birth: 05/11/1980
Social Security Number: 524-27-2426

Did commit the crimes of:

- A. Theft – §18-4-401(4)(b), C.R.S. (Class 4 Felony)
Date range: 05/29/2020 through 07/20/2020
Theft Amount: \$25,051.00
- B. Cybercrime – §18-5.5-102(1)(d), C.R.S. (Class 4 Felony)
Date range: 05/22/2020 through 07/19/2020
Cybercrime Amount: \$25,051.00
- C. Identity Theft – §18-5-902 (1)(c), C.R.S. (Class 4 Felony)
Date range: 05/21/2020 through 07/19/2020
Total Theft Amount as a result of the Identity Theft: \$25,051.00
- D. Criminal Impersonation - §18-5-113 (1)(b)(II), C.R.S. (Class 2 Misdemeanor)
Date range: 05/21/2020 through 09/22/2020
Total Theft Amount as a result of Criminal Impersonation: \$25,051.00
- E. Attempt to Influence - §18-8-306 (1)(a) C.R.S. (Class 4 Felony)
Date range: 05/21/2020 through 09/22/2020

between: 05/21/2020 and 09/22/2020 within the City of Commerce City, County of Adams, State of Colorado.

The above-mentioned crimes were discovered on 01/11/2022 based on the following information:

In the course of another investigation, I located a claim for RYAN GARBISO (GARBISO). Following the discovery of GARBISO'S claim, a search of the CDLE system revealed that GARBISO was one of the alleged claimants that had called in to the CDLE after a Program Integrity (PI) Hold was placed on his claim. GARBISO had multiple PI Holds on his claim and was attached to a number of other claims via said PI Holds.

After a thorough investigation of the claims attached to GARBISO, including but not limited to obtaining and reviewing bank records, obtaining and listening to calls made to the CDLE and their partner, and interviewing a number of claimants and suspects that were available to speak with, I was only able to substantiate fraudulent activity on the part of GARBISO in relation to the claims of ELIAS MENDOZA (MENDOZA) and MANDY GREY (GREY).

Phone calls made to and from the CDLE and their partners:

In the course of my investigation, I pulled phone calls made to the CDLE and their third-party contractor, Conversion Call Center (CCC), by phone numbers associated with this investigation.

In calls made to and from the CDLE and the CCC, GARBISO asked questions about issues he was having with his personal claim, which appeared legitimate at the time this investigation took place. Additionally, I was able to determine that GARBISO impersonated MENDOZA and GREY on multiple occasions.

Police Reports:

In the course of my investigation, I reviewed GARBISO'S criminal history via the Colorado State Court Data Access Program. As a result of my review, I requested and received a number of Police Reports from a variety of police departments, in which GARBISO was listed in some capacity.

Based on the information in these Police Reports, I was able to determine that GARBISO had been found in the possession of identification documents and financial instruments belonging to MENDOZA and GREY at various times, both before and after the filing of unemployment insurance claims with the victims' information.

Death Information:

In the course of my investigation, it became apparent that both MENDOZA and GREY were deceased. To confirm their deaths, I reached out to the Colorado Department of Public Health and Environment (CDPHE) to obtain copies of their Death Certificates.

On 09/20/2022, I received a copy of MENDOZA'S and GREY'S Death Certificates from the CDPHE. MENDOZA'S date of death was recorded as 04/30/2021. GREY'S date of death was recorded as 02/21/2014.

Banking information:

In the course of my investigation, I served multiple *Court Orders for Production of Records* for bank accounts listed on the claims involved in this investigation.

On 04/20/2022, I served a Court Order for Production of Records to U.S. Bank, N.A., for the account records for the ReliaCard in the names of MENDOZA, GREY, and others. ICE received the account records on 08/30/2022. I was able to verify that UI payments were deposited into the accounts in the names of MENDOZA and GREY, and that those monies were utilized through a variety of transactions.

On 04/20/2022, I served a Court Order for Production of Records to MetaBank, N.A., for the account records related to account number 70007126335407, an account listed on the claims for MENDOZA and GREY. ICE received the account records on 05/26/2022. I was able to verify that the account belonged to GARBISO.

On 04/20/2022, I served a Court Order for Production of Records to The Bancorp Bank for the account records related to account number 992011101191, an account listed on the claims for MENDOZA and GREY, and account numbers 222119204382, 8841435671002, and 992011101209, accounts listed on the claim for MENDOZA. ICE received the account records on 04/25/2022. I was able to verify that all of the above listed accounts belonged to GARBISO. Additionally, I was able to verify that UI payments for GREY were deposited into account number 992011101191, and that those monies were utilized through a variety of transactions. Furthermore, I was able to verify that UI payments for MENDOZA were deposited into account numbers 8841435671002 and 992011101209, and that those monies were utilized through a variety of transactions.

On 04/20/2022, I served a Court Order for Production of Records to PayPal Holdings, Inc., for the account records related to account number 22113403336927717, an account listed on the claim for MENDOZA. ICE received the account records on 05/17/2022. I was able to verify that the account belonged to GARBISO.

MENDOZA, ELIAS

Institution	Account Number	Account Holder	Deposit Dates	Total Deposited
U.S.Bank, N.A.	ReliaCard	MENDOZA	05/30/2020-06/08/2020	\$9,345.00
The Bancorp Bank	8841435671002	GARBISO	06/15/2020	\$823.00
The Bancorp Bank	992011101209	GARBISO	06/22/2020-07/20/2020	\$4,115.00
			Total Issued:	\$14,283.00

GREY, MANDY

Institution	Account Number	Account Holder	Deposit Dates	Total Deposited
U.S. Bank, N.A.	ReliaCard	GREY	05/29/2020	\$7,476.00
The Bancorp Bank	992011101191	GARBISO	06/01/2020-06/22/2020	\$3,292.00
			Total Issued:	\$10,768.00

Referral to the Colorado Department of Revenue:

On 09/15/2022, I submitted information to the Colorado Department of Revenue (CDOR), providing GARBISO'S information for them to review for potential tax related violations. Criminal Tax Special Agents, JENNIFER HIGGS (S/A HIGGS) and MELODY KIRSCHT (S/A KIRSCHT) expressed CDOR'S interest in joining this case for additional charges on behalf of CDOR.

NOTE: CDOR'S report, outlining their charges, evidence, and witnesses to their investigation of GARBISO will be submitted separately by S/A'S HIGGS and KIRSCHT.

Interview with victims and suspects:

As MENDOZA and GREY are both deceased, I was unable to interview them in the course of this investigation.

On 06/23/2022, I spoke to MANDY BAROS (BAROS), and individual associated with the investigation. BAROS stated that GARBISO was her ex-boyfriend and that she had thrown him out of her home in April of 2021. BAROS stated that there was mail being sent to her address from the CDLE for individuals who did not live there. BAROS stated that she mentioned this to GARBISO, and he had told her not to worry about it. BAROS additionally identified MENDOZA as a member of her extended family that GARBISO knew, and GREY as GARBISO'S ex-wife.

On multiple occasions in September of 2022, I attempted to contact GARBISO. At the time this Summary Report was being written, I had not been able to contact GARBISO.

In the course of my investigation, Dossier Number 96-103-0263, in the name of GARBISO, was ordered from the Department of Motor Vehicles. Dossier Number 96-103-0263 provided the following identifying information regarding GARBISO; Date of Birth; 05/11/1980; Gender: Male; Eye Color: BRO; Hair Color: BRO; Height: 5'10"; Weight: 155 lbs.; and listed GARBISO'S address as: 5366 Magnolia Street, Commerce City, CO 80022.

Having direct access to CDLE records and knowledge of UI law and procedure, I was able to review and compare the records, determining the following:

V2. – MENDOZA, ELIAS (10119051) CLAIM 1 of 2

SUSPECT: GARBISO, RYAN

- On 05/21/2020, a claim was filed for UI benefits by accessing the CDLE Internet site and completing the online application with the personal information of MENDOZA, establishing a computer record of the claim. The claim's effective date was 02/23/2020.
- During the completion of the online application, GARBISO, posing as MENDOZA, confirmed MENDOZA'S SSN as 521-82-6348, MENDOZA'S date of birth as 04/03/1953, MENDOZA'S home address as 7225 E. 72nd Ave., Commerce City, CO 80022, MENDOZA'S email address as Chrismull72@gmail.com, and MENDOZA'S Colorado driver's license number as 92-154-7840.
- GARBISO, posing as MENDOZA, drew UI benefits for the week ending on 02/29/2020 through the week ending on 07/18/2020 during this claim.
- In the weekly online UI payment requests, GARBISO utilized the SSN belonging to MENDOZA, misrepresenting himself to the CDLE to obtain UI benefits he was not entitled to receive. GARBISO obtained a total of \$14,283.00 during the life of this claim.
- In total, GARBISO, posing as MENDOZA, collected \$14,283.00 in UI benefits under the personal information of MENDOZA, which they were not entitled to receive.

V3. – GREY, MANDY (10122568) CLAIM 2 of 2

SUSPECT: GARBISO, RYAN

- On 05/24/2020, a claim was filed for UI benefits by accessing the CDLE Internet site and completing the online application with the personal information of GREY (Item D-1), establishing a computer record of the claim (Item D-2). The claim's effective date was 03/01/2020.
- During the completion of the online application, GARBISO, posing as GREY, confirmed GREY'S SSN as 522-29-0568, GREY'S date of birth as 03/21/1980, GREY'S home address as 5366 Magnolia St., Commerce City, CO 80022, GREY'S telephone number as (720) 691-0187, GREY'S email address as Barosmandy@gmail.com, and GREY'S Colorado driver's license number as 94-223-2813.
- GARBISO, posing as GREY, drew UI benefits for the week ending on 03/07/2020 through the week ending on 06/20/2020 during this claim.
- In the weekly online UI payment requests, GARBISO utilized the SSN belonging to GREY, misrepresenting himself to the CDLE to obtain UI benefits he was not entitled to receive. GARBISO obtained a total of \$10,768.00 during the life of this claim.

- In total, GARBISO, posing as GREY, collected \$10,768.00 in UI benefits under the personal information of GREY, which they were not entitled to receive.

S1. – GARBISO, RYAN

- Between the claims of MENDOZA and GREY, GARBISO obtained a total of \$25,051.00 in UI benefits under the victims' personal information, which he was not entitled to receive.

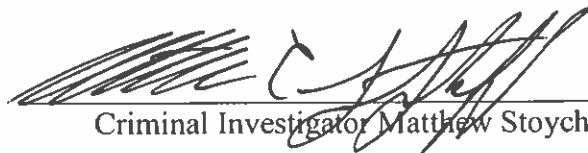
To illustrate and summarize these findings, I prepared an overpayment chart which is included as Attachment A and incorporated herein, detailing the UI benefit weeks, and the UI benefits paid to GARBISO in the names of MENDOZA and GREY on a week-by-week basis. This chart also documents the total amount of overpaid UI benefits and the statutory 65% percent monetary penalty in accordance with C.R.S. §8-81-101(4)(a)(II).

The monetary penalty under statute §8-81-101, C.R.S., was 50% until August 7, 2013, when legislation was changed to impose a 65% penalty. Therefore, any fraudulent payment which was requested and received after August 7, 2013, would be subject to a 65% penalty.

Of note, all of the fraud on the UI Claims filed by GARBISO were assessed at the 65% penalty rate, based on the fact that the fraudulent payments were requested and received after August 7, 2013.

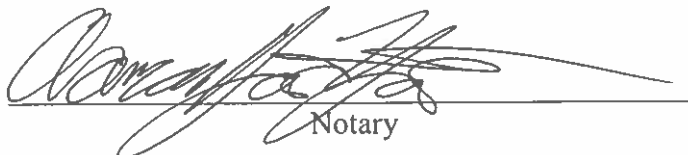
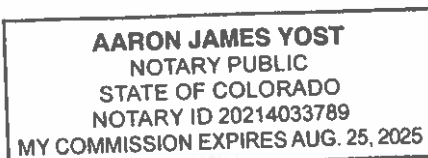
Based on the above information, I, therefore, respectfully request that this honorable court issue an arrest warrant for the arrest of RYAN GERALD GARBISO for the crimes of: Felony Theft Statute – C.R.S. §18-4-401(4)(b), Felony Cybercrime Statute – C.R.S. §18-5.5-102(1)(d), Felony Identity Theft Statute – C.R.S. §18-5-902 (1)(c), Misdemeanor Criminal Impersonation Statute – C.R.S. §18-5-113 (1)(b)(II), and Felony Attempt to Influence Statute – C.R.S. §18-8-306 (1)(a).

I have read the foregoing statements, and the matters stated therein are true to the best of my knowledge and belief.


Criminal Investigator Matthew Stoychoff

State of Colorado
County of Denver

Subscribed and sworn to (or affirmed) before me this 19th day of October, 2022.


Notary